

PATENT COOPERATION TREATY

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INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 1875PCT	FOR FURTHER ACTION	See Form PCT/IPEA/416
International application No. PCT/AU2004/000376	International filing date (day/month/year) 26 March 2004	Priority date (day/month/year) 28 March 2003
International Patent Classification (IPC) or national classification and IPC Int. Cl. ⁷ B23B 51/04 B27G 15/00 B27B 5/12, 33/18		
Applicant KEIGHTLEY, Kym John		

1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 4 sheets, including this cover sheet.
3. This report is also accompanied by ANNEXES, comprising:
 - a. ☒ (sent to the applicant and to the International Bureau) a total of 4 sheets, as follows:
 - ☒ sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions);
 - ☐ sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.
 - b. ☐ (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) , containing a sequence listing and/or table related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).
4. This report contains indications relating to the following items:

<input checked="" type="checkbox"/> Box No. I	Basis of the report
<input type="checkbox"/> Box No. II	Priority
<input type="checkbox"/> Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
<input checked="" type="checkbox"/> Box No. IV	Lack of unity of invention
<input checked="" type="checkbox"/> Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
<input type="checkbox"/> Box No. VI	Certain documents cited
<input type="checkbox"/> Box No. VII	Certain defects in the international application
<input type="checkbox"/> Box No. VIII	Certain observations on the international application

Date of submission of the demand 20 July 2004	Date of completion of the report 21 February 2005
Name and mailing address of the IPEA/AU AUSTRALIAN PATENT OFFICE PO BOX 200, WODEN ACT 2606, AUSTRALIA E-mail address: pct@ipaustalia.gov.au Facsimile No. (02) 6285 3929	Authorized Officer SARAVANAMUTHU PONNAMPALAM Telephone No. (02) 6283 2070

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/AU2004/000376

Box No. I Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ This report is based on translations from the original language into the following language which is the language of a translation furnished for the purposes of:

- ☐ international search (under Rules 12.3 and 23.1 (b))
- ☐ publication of the international application (under Rule 12.4)
- ☐ international preliminary examination (under Rules 55.2 and/or 55.3)

2. With regard to the elements of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:

☐ the international application as originally filed/furnished

☒ the description:

pages 1,4-7 as originally filed/furnished

pages* 2,3 received by this Authority on 15 February 2005 with the letter of 14 February 2005

pages* received by this Authority on with the letter of

☒ the claims:

pages as originally filed/furnished

pages* as amended (together with any statement) under Article 19

pages* 8, 9 received by this Authority on 15 February 2005 with the letter of 14 February 2005

pages* received by this Authority on with the letter of

☒ the drawings:

pages 1-7 as originally filed/furnished

pages* received by this Authority on with the letter of

pages* received by this Authority on with the letter of

☐ a sequence listing and/or any related table(s) - see Supplemental Box Relating to Sequence Listing.

3. ☐ The amendments have resulted in the cancellation of:

☐ the description, pages

☐ the claims, Nos.

☐ the drawings, sheets/figs

☐ the sequence listing (*specify*):

☐ any table(s) related to the sequence listing (*specify*):

4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

☐ the description, pages

☐ the claims, Nos.

☐ the drawings, sheets/figs

☐ the sequence listing (*specify*):

☐ any table(s) related to the sequence listing (*specify*):

* If item 4 applies, some or all of those sheets may be marked "superseded."

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

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Box No. IV Lack of unity of invention

☐ In response to the invitation to restrict or pay additional fees the applicant has:

☐ restricted the claims.

☐ paid additional fees.

☐ paid additional fees under protest.

☐ neither restricted nor paid additional fees.

2. ☒ This Authority found that the requirement of unity of invention is not complied with and chose, according to Rule 68.1, not to invite the applicant to restrict or pay additional fees.

3. This Authority considers that the requirement of unity of invention in accordance with Rules 13.1, 13.2 and 13.3 is:

☐ complied with.

☒ not complied with for the following reasons:

The different invention are as follows:

Claims 1-11

A hole saw boss having a threaded portion of two different diameter,

Claims 12 & 13

A hole saw boss having at least one drive pin configured to engage both said at least one notch on said base member and an existing aperture on at least one of said hole saws.

4. Consequently, this report has been established in respect of the following parts of the international application:

☒ all parts.

☐ the parts relating to claims Nos.

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/AU2004/000376

Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims 1-13	YES
	Claims	NO
Inventive step (IS)	Claims 1-13	YES
	Claims	NO
Industrial applicability (IA)	Claims 1-13	YES
	Claims	NO

2. Citations and explanations (Rule 70.7)

NOVELTY (N) and INVENTIVE STEP (IS)

A. The documents constituting the closest prior art are:

- (i) US 5624213 A
- (ii) US 5413437 A
- (iii) WO 2003024677 A

B. The subject matter of claims 1 & 12 differs from these prior art documents in that

- (a) the threaded member consists of two different diameter of threaded portions,
- (b) the drive pin is configured to engage both said one notch on said base member and existing aperture on at least one of said hole saws, respectively.

C. The distinguishing features of the invention

- (a) eliminates the need to replace the boss when a hole saw of different bore size needs to be used and it is achieved by including different sized threads on the one boss.
- (b) the hole saw is prevented from over tightening on the threaded member. respectively.

D. Therefore the application satisfies the criteria set forth in PCT Article 33(2-3), concerning novelty and inventive step of the independent claim 1 & 12.

E. The criteria concerning novelty and inventive step of claims 2-11 & 13 are satisfied because these claims are dependent on claim 1 & 12 respectively.

INDUSTRIAL APPLICABILITY (IA)

The invention defined in claims 1-13 satisfies the criterion set forth in PCT Article 33(4).